



Express Mail Label No.: **EV328183315US**  
Date of Deposit: **September 8, 2003**

Attorney Docket No. 23135-510 CON

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

RECEIVED  
SEP 11 2003  
PATENT & TRADEMARK OFFICE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original inventor of the subject matter, which is claimed and for which a utility patent is sought on the invention entitled:

**TRANSCRIPTION FACTOR OF MHC CLASS II GENES, SUBSTANCES CAPABLE  
OF INHIBITING THIS NEW TRANSCRIPTION FACTOR, AND MEDICAL USES  
OF THESE SUBSTANCES**

the specification of which:

- ☒ was filed on **April 24, 2001** as a United States non-provisional application, given United States Serial No. 09/840,243, bearing Attorney Docket No. **23135-510 CON**.
- ☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- ☒ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Appln. Number	Country (if PCT, so indicate)	Filing Date (dd/mm/yy)	Priority Claimed	
			Yes	No
98120085.0	Europe	24/10/98	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EP99/08026	PCT	22/10/98	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Inventor: Krysztof Masternak et al.

- ☐ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<b>Application No.</b> <i>(U.S.S.N.)</i>	<b>Filing Date</b> <i>(dd/mm/yy)</i>	<b>Status</b> <i>(Patented, Pending, Abandoned)</i>

PCT International Applications designating the United States:

<b>PCT International Application No.</b>	<b>PCT Filing Date</b>	<b>Status</b>

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, Customer Number **30623**, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor Elrifi at telephone number 617/348-1747.

Address all correspondence to Customer Number **30623**

Inventor: Krysztof Masternak et al.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

  
\_\_\_\_\_  
Inventor's Signature: Krysztof Masternak

Full Name of Inventor: Krysztof Masternak

Citizenship: Polish

Residence: 3 bis chemin du Risoux, CH 1110, Morges, Switzerland

Post Office Address: Same as Above

25/08/2003  
Date

  
\_\_\_\_\_  
Inventor's Signature: Walter Reith

Full Name of Inventor: Walter Reith

Citizenship: Swiss

Residence: 20 A Route Antoine-Martin, CH-1234, Vessy, Switzerland

Post Office Address: Same as Above

25/8/03  
Date

  
\_\_\_\_\_  
Inventor's Signature: Bernard Mach

Full Name of Inventor: Bernard Mach

Citizenship: Swiss

Residence: 45 Route de Pregny, CH-1292, Pregny-Chambesey, Switzerland

Post Office Address: Same as Above

  
\_\_\_\_\_  
Date

TRA 1807995v1

**Exhibit 1 – Pending claims, including all proposed amendments**

1. (Currently Amended) A An isolated protein or peptide, wherein said protein or peptide comprises the amino acid sequence of SEQ ID NO: 11 and wherein said protein or peptide is capable of restoring the MHC-II expression in eels a cell from an MHC-II deficiency patients patient in complementation group B ~~and comprising all or part of the amino acid sequence shown in figure 2.~~
2. (Currently Amended) The protein or peptide according to claim 1 wherein the ~~eels are~~ cell is from a BLS 1 cell line, a Na cell line or ~~Ba~~ an Ab cell line.
3. (Previously Amended) The protein or peptide according to claim 1 wherein the MHC-II is HLA-DR, HLA-DP or HLA-DQ.
4. – 61. (Cancelled)
62. (Currently Amended) A An isolated protein or peptide comprising an amino acid sequence having at least ~~80%~~ 95% identity or similarity with the amino acid sequence ~~shown in figure 2~~ of SEQ ID NO: 11, wherein said protein or peptide is capable of restoring MHC-II expression in a cell from an MHC-II deficiency patient in complementation group B and wherein said protein or peptide comprises an ankyrin-repeating region having an amino acid sequence comprising amino acid residues 122-222 of SEQ ID NO: 11.
63. – 76. (Cancelled)